

**In the  
Indiana Supreme Court**

IN THE MATTER OF                    )  
REQUEST FOR APPROVAL            )  
OF LOCAL RULES                    )  
FOR COURTS OF RECORD IN        )  
HANCOCK COUNTY INDIANA        )

**REQUEST FOR APPROVAL OF LOCAL RULE  
RE-ADOPTING CURRENT CASELOAD  
ALLOCATION RULE**

The judges of the courts of record of Hancock County have met and reviewed the 2009 Weighted Caseload Statistics of the courts of record, which review reveals that the difference in utilization between any two courts of record does not exceed .40 based on the 2009 Weighted Caseload Report. Further the judges of the courts of record represent that the current caseload allocation rule represents a fair, realistic and appropriate allocation of judicial resources within this jurisdiction.

Accordingly, the judges of the courts of record have decided to re-adopt their local rule at LR 30-AR00-2 pertaining to caseload allocation as required by Administrative Rule 1 (E), which local rule had previously been published for public comment as required by Trial Rule 81 and which has been approved by the Supreme Court, and request the Supreme Court to approve the re-adoption of the local caseload allocation rule.

Submitted this 13<sup>th</sup> day of May 2011.

\_\_\_\_\_/S/\_\_\_\_\_  
Richard D. Culver, Judge,  
Hancock Circuit Court

\_\_\_\_\_/S/\_\_\_\_\_  
Terry K. Snow, Judge,  
Hancock Superior Court #1

\_\_\_\_\_/S/\_\_\_\_\_  
Dan E. Marshall, Judge,  
Hancock Superior Court #2

## **LR 30- AR00-2      Local Caseload Plan for the Eighteenth Judicial Circuit**

Pursuant to the Order for Development of Local Caseload Plans of the Indiana Supreme Court entered on July 16, 1999, the undersigned Judges of the Eighteenth Judicial Circuit adopt the following Local Caseload Plan for the Courts of the Circuit:

The Judicial Circuit

Hancock County, Indiana constitutes the Eighteenth Judicial Circuit of the State of Indiana and is served by the Hancock Circuit Court and Hancock Superior Courts No. 1 and 2. According to the 2006 Weighted Caseload Measures (WCLM) the County average was 1.40 as opposed to the State average of 1.23. The WCLM of the courts within the Circuit were: Hancock Circuit Court, 1.44; Hancock Superior Court No. 1, 1.27; and Hancock Superior Court No. 2, 1.49.

### **Plan Concepts**

The Local Plan shall be premised upon a review and evaluation of:

1. WCLM information for the courts serving the Circuit,
2. resources and needs of individual courts within the Circuit as well as available judicial resources,
3. measures which would facilitate as well as impede implementation of the Plan goal and
4. mechanics for the implementation of the Plan goal.

Upon completion of such review significant caseload disparities have been determined to exist among the courts of the Circuit as evaluated by WCLM.

The goal of the Local Plan is the alteration of the caseloads of the courts so that each is within 0.25 points of the state average WCLM relevant to the Plan (1.22 for 2006) or the range which may hereafter be adopted by the Indiana Supreme Court. The most efficient method for balancing caseloads within the Circuit is through management of the docketing of cases within the courts of the Circuit so that WCLM analysis of each court will be approximately 1.00.

### **Implementation**

#### **Yearly Evaluation and Review**

The judges of the Circuit shall meet en banc each year for the purpose of evaluating the WCLM of each court within the Circuit and adopting appropriate alterations or revisions of the Local Plan and to relieve caseload disparities among the Courts. Each annual meeting shall be scheduled within thirty days of the yearly certification of WCLM information by the Division of State Court Administration. Implementation of the Local Plan shall be on a calendar year basis.

At their annual meeting an evaluation shall be made of the utilization of judicial resources within the courts of the Circuit based upon WCLM for the prior year. A determination shall be made concerning the most efficient and appropriate manner for the Circuit to meet its responsibilities pursuant to the Orders of the Indiana Supreme Court regarding caseload allocation. Upon the completion of the yearly review appropriate and necessary Plan modifications shall be adopted by a majority vote and an order shall be entered which shall direct the Clerk of Hancock County with respect to implementation of the Local Plan. Starting in January of 2008, the courts will move the filing of Protective Order cases (PO) from Superior Court 2 to Superior Court 1.

### **Judicial Circuit Plan**

Case types shall be docketed in the courts of the Circuit only as indicated:

- a. Circuit Court and Superior Court No. 1  
MR, FA, FB, FC, FD, MC, JC, JD, JS, JM, JT, JP, PL,  
CC, MF, CT, DR, RS, MH, AD, AH, ES, EU, GU, TR and MI,
- b. PO cases are to be filed in Superior Court No. 1. They may be transferred to Circuit Court or Superior Court 2 if there is a DR case or other case involving the parties in that court.
- c. Superior Court No. 2

FD (as limited by local filing rule), CM, MC, IF, OV, SC.

The Local Rule concerning the filing of criminal cases shall be amended in accordance with such filing procedure and continue to control the docketing of FD case types.

All cases filed in the civil docket of the Hancock Circuit and Superior Court No. 1 shall be filed on a random basis by the Clerk pursuant to a method approved by the courts.

The Local Plan shall continue in effect from year to year thereafter except as modified.

### **Plan Impact**

Based upon WCLM information for 2006, implementation of the Local Plan will result in the WCLM of each court within the Circuit being approximately equal.